

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LEE ANGROS,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

No. 5:12-cv-1262-R

JOINT MOTION FOR EXTENSION OF TIME FOR ANSWER

Plaintiff Lee Angros and Defendant Ventana Medical Systems, Inc., by and through their counsel, hereby stipulate as follows, and request that the Court Order the same.

WHEREAS, on May 31, 2013, Plaintiff timely requested that Defendant waive service of the Summons and Complaint pursuant to Federal Rule of Civil Procedure 4(d)(1);

WHEREAS, on May 31, 2013, Defendant timely waived service of the summons and complaint pursuant to Federal Rule of Civil Procedure 4(d)(3), and further agreed to answer or otherwise respond to the Complaint within 30 (thirty) days of the date the waiver request was sent (May 31, 2013);

WHEREAS, Federal Rule of Civil Procedure 4(d)(3) provides a defendant waiving service of the Summons and Complaint sixty (60) days to answer or otherwise respond to the Complaint from the date the waiver request was sent;

WHEREAS, the parties have been diligently involved in discussions to determine whether this matter can be resolved without the need for the current litigation;

WHEREAS, the parties agree that, in order for settlement negotiations to continue diligently, defendant should have the full sixty (60) days to answer or otherwise respond to the complaint provided by Federal Rule of Civil Procedure 4(d)(3);

NOW, THEREFORE, the parties agree and stipulate that the time for defendant to answer or otherwise respond to the Complaint shall be extended to July 30, 2013 – that is, sixty (60) days from May 31, 2013 and request an Order extending the time for defendant to answer or otherwise respond to the complaint to July 30, 2013. This extension will not affect any other deadlines, because no such deadlines have been set.

Dated: June 28, 2013

Respectfully Submitted,

/s/ Phillip L. Free, Jr.

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